

UP-3735-3

TRANSMITTAL LETTER			Case No. 6298/308
Serial No. 09/409,792	Filing Date September 30, 1999	Examiner	Group Art Unit 3735
Inventor(s) Martin P. Foley et al.			
Title of Invention EXHALATION VALVE FOR FACE MASK WITH SPACER CHAMBER CONNECTION			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Transmittal Letter (in duplicate); Second Supplemental Information Disclosure Statement; PTO Form 1449; One Copy of References C1-C9.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a \_\_\_\_\_ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

					Small Entity		Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 40=		x \$80=	
First Presentation of Multiple Dep. Claim					+\$135=		+\$270=	
					Total add'l fee	\$	Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Kent E. Genin  
Registration No. 37,834  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610 - (312) 321-4200

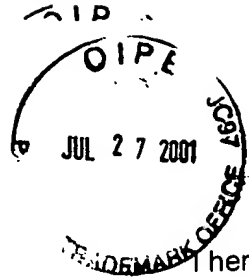
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20261, on July 24, 2001.

Date:

7/24/2001

Signature:

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L. Fan K6  
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# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on July 24, 2001.

Kent E. Genin, Reg. No. 37,834

Name of Applicant, Assignee or  
Registered Representative

Signature

7/24/2001

Date of Signature

Patent Case No. 6298/308

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Martin P. Foley et al.  
Serial No. 09/409,792  
Filed: September 30, 1999

Group Art Unit 3735

For: EXHALATION VALVE FOR FACE MASK WITH  
SPACER CHAMBER CONNECTION

## SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the obligation under 37 C.F.R. § 1.56 and in conformance with 37 C.F.R. § 1.97-1.99, Applicant hereby submits the following references for consideration by the Examiner. Copies of each of the following have been enclosed along with the form PTO-1449:

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## US PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	NAME
1,007,644	10/31/1911	Cocke
1,671,010	5/22/1928	Braecklein
3,182,659	5/11/1965	Blount
3,232,292	2/01/1966	Schaefer
3,490,452	1/20/1970	Greenfield
4,850,346	7/25/1989	Michel et al.
4,938,209	7/03/1990	Fry
5,645,049	7/08/1997	Foley et al.
5,988,160	11/23/1999	Foley et al.

## EXPLANATION OF THE REFERENCES

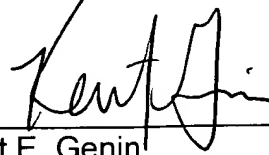
As of the day of filing of this information disclosure statement, a first office action on the merits has not been received by the undersigned. Accordingly, no fee for consideration of the information provided with this disclosure statement is included herewith, as permitted by 37 C.F.R. § 1.97(b)(3). However, if an office action on the merits is mailed on a date prior hereto, Applicant hereby requests and authorizes the Commissioner to charge Deposit Account 23-1925 for the appropriate fee of \$180 as set forth in 37 C.F.R. § 1.97(c) for consideration of the information set forth in this disclosure statement.

Applicant requests to have these references included in the record of this application. Applicant further requests that the Examiner review the entire disclosure of each reference. It is believed that none of these references, alone or in proper combination, discloses or suggests the subject matter claimed by Applicant.

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Applicant does not represent any of these references to be prior art and Applicant reserves the right to disqualify any references by the showing of an earlier date of invention, if appropriate.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kent E. Genin", is written over a horizontal line.

Kent E. Genin  
Reg. No. 37,834  
Attorney for Applicants

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